

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SUNLIGHT ELECTRICAL CONTRACTING	:	CIVIL ACTION
CO., INC.	:	
	:	
v.	:	
	:	
JOHN J. TURCHI, JR., et al.	:	NO. 08-5834

ORDER

AND NOW, this 18th day of January, 2013, upon consideration of plaintiff Sunlight Electrical Contracting Co., Inc.'s amended complaint (docket entry # 68), defendants' second motion for partial summary judgment, and their memorandum in support thereof (docket entry # 72), plaintiff's response and brief in opposition thereto (docket entry # 77) defendants' third party complaint (docket entry # 11), third-party defendant's motion for summary judgment (docket entry # 73), and defendants' response in opposition thereto (docket entry # 76), and third-party defendants' reply thereto (docket entry # 82), and upon the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendants' motion for partial summary judgment (docket entry # 72) is GRANTED IN PART;

2. Count VI, the sole federal law claim in the Amended Complaint, is DISMISSED WITH PREJUDICE;

3. The remaining claims are DISMISSED WITHOUT PREJUDICE to their reassertion in the Philadelphia Court of Common Pleas¹; and

4. The Clerk shall CLOSE this matter statistically.

BY THE COURT:


Stewart Dalzell, J.

¹ See 28 U.S.C. §§ 1367(c)(3), 1367(d).